

OneWest Bank, FSB

Plaintiff

Case No: 12 CV 997

vs

ESTATE OF ELIZABETH J. MONTESANO, et al.

Defendant(s)

NOTICE OF SHERIFF'S SALE

RECEIVED
2012 AUG 27 AM 10:52
WAUKESHA SHERIFF
PROCESS DIVISION

PLEASE TAKE NOTICE that by virtue of a judgment of foreclosure entered on May 11, 2012 in the amount of \$197,006.62 the Sheriff will sell the described premises at public auction as follows:

TIME: October 22, 2012 at 09:00 AM

TERMS: 1.) 10% down in cash or money order at the time of sale; balance due within 10 days of confirmation of sale; failure to pay balance due will result in forfeit of deposit to plaintiff. 2.) Sold "as is" and subject to all legal liens and encumbrances.

PLACE: in the main lobby of the Sheriff's Dept/Justice Bldg - Door #8 located at 515 W. Moreland Blvd, Waukesha, Wisconsin 53188

DESCRIPTION: Unit No. 37, and so much of the undivided interest in the common areas and facilities appurtenant to such unit in the percentage and established in the hereinafter-mentioned Declaration, in a Condominium commonly known as WHISPERING BAY CONDOMINIUM, created under the Condominium Ownership Act of the State of Wisconsin by Declaration of Condominium of Whispering Bay Condominium, made by Thomas J. Berg and Cheryl A. Berg, dated October 1, 1991, and recorded in the Register of Deeds office for Waukesha County, on October 3, 1991, on Reel 1356, Image 550, as Document No. 1676663 and by First Amendment to Declaration of Condominium of Whispering Bay Condominium, executed by Thomas J. Berg and Cheryl A. Berg, dated November 5, 1991, and recorded in said Register's office, on November 13, 1991, on Reel 1372, Image 250, as Document No. 1684406.

An Amendment and Restatement of the Declaration of Condominium of Whispering Bay Condominium, was executed by Whispering Bay Development Corporation, dated February 22, 1994, and recorded in the Register of Deeds office for Waukesha County, on February 23, 1994 on Reel 1886, Image 26, as Document No. 1940948.

First Amendment to Restated Declaration of Condominium of Whispering Bay Condominium, was executed by Whispering Bay Development Corp., dated February 25, 1994 and recorded in the Register of Deeds office for Waukesha County, on March 2, 1994 on Reel 1888, Image 971, as Document No. 1942846.

Second Amendment to Restated Declaration of Condominium of Whispering Bay Condominium, was executed by Whispering Bay Development Corp., dated August 16, 1994 and recorded in the Register of Deeds office for Waukesha County, on August 31, 1994 on Reel 1980, Image 781, as Document No. 1990695.

Third Amendment to Restated Declaration of Condominium of Whispering Bay Condominium, was executed by Whispering Bay Development Corp., dated December 22, 1994 and recorded in the Register of Deeds office for Waukesha County, on December 22, 1994 on Reel 2023, Image 830, as Document No. 2014589.

Fourth Amendment to Restated Declaration of Condominium of Whispering Bay Condominium, was executed by Whispering Bay Development Corp., dated May 24, 1995, and recorded in the Register of Deeds office for Waukesha County, on May 25, 1995, on Reel 2071, Image 602, as Document No. 2040840.

Fifth Amendment to Restated Declaration of Condominium of Whispering Bay Condominium, was executed by Whispering Bay Development Corp., dated October 3, 1995 and recorded in the Register of Deeds office for Waukesha County, on October 9, 1995 on Reel 2126, Image 469, as document No. 2072041.



Sixth Amendment to Restated Declaration of Condominium of Whispering Bay Condominium, was executed by Whispering Bay Development Corp., dated December 15, 1995 and recorded in the Register of Deeds office for Waukesha County, on December 27, 1995 on Reel 2157, Image 198 (and forward), as Document No. 2089351.

Seventh Amendment to Restated Declaration of Condominium of Whispering Bay Condominium, was executed by Whispering Bay Development Corp., dated July 29, 1996 and recorded in the Register of Deeds office for Waukesha County, on July 31, 1996 on Reel __, Image __, as Document No. 2145787. (for unites 37 thru 42).

Incorporated herein by this reference thereto is the real estate described in and subject to said Declaration which is located in the Village of Mukwonago. The Post Office address of the above unit is 1005 Bay View Court, Mukwonago, Wisconsin.

Together with a non-exclusive easement for ingress and egress over the following described lands:

All that part of the Northeast 1/4 of the Northwest 1/4 of Section 35, in Township 5 North, Range 18 East, in the Village of Mukwonago. Being a 60.00 foot wide strip of land, the centerline of which is described as follows: Commencing at the Northeast corner of the Northwest 1/4 of said Section 35; thence South 00° 12' 30" East, along the East line of said Northwest 1/4 of Section 35, a distance of 2600.42 feet to the Southeast corner of said Northwest 1/4 of Section 35, thence North 78° 20' 37" West, a distance of 593.09 feet to a point of W.E.P. Co. Westerly right-of-way line; thence along said W.E.P. Co. Westerly right-of-way line, North 30° 01' 24" East for 665.79 feet to a point, being the point of beginning of said center line; thence North 79° 00' 00" West for 289.52 feet to the beginning of a curve; thence along said curve having central angle 106° 00' 00" (as recorded) radius 130.00 feet, chord bearing North 26° 00' 00" West, and chord distance 207.65 feet, for an arc distance of 240.51; thence North 27° 00' 00" East for 255.00 feet to the beginning of a curve thence along said curve having a central angle of 62° 30' 00", radius 140.00 feet, chord bearing North 58° 15' 00" East, and chord distance 145.26 feet for an arc distance of 152.72 feet to the end of the curve; thence North 89° 30' 00" East for 33.00 feet to the beginning of a curve; thence along said curve having central angle 90° 00' 00", radius 140.00 feet, chord bearing South 45° 30' 00" East, and chord distance 197.99 feet, for an arc distance of 219.91 feet to the beginning of a curve; thence along said curve having central angle 54° 00' 00" radius 200.00 feet, chord bearing South 26° 30' 00" West, and chord distance 181.60 feet, for an arc distance of 188.50 feet to a beginning of a curve; thence along said curve having central angle 42° 30' 00", radius 200.00 feet, chord bearing south 32° 15' 00" West, and chord distance 144.98 feet, for an arc distance of 148.35 feet to the end of the curve; thence South 11° 00' 00" West for 96.75 feet.

PROPERTY ADDRESS: 1005 Bay View Court, Mukwonago, WI 53149

TAX KEY NO.: MUKV 2010-978-046

Dustin A. McMahon
Blommer Peterman, S.C.
State Bar No. 1086857
165 Bishops Way, Suite 100
Brookfield, WI 53005
262-790-5719

Dated this 27th day of Aug 2012
Daniel J. Trawicki
Sheriff Daniel J. Trawicki
Waukesha County Sheriff

Please go to www.blommerpeterman.com to obtain the bid for this sale.
Blommer Peterman, S.C. is the creditor's attorney and is attempting to collect a debt on its behalf. Any information obtained will be used for that purpose.

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